

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date: 20-Aug-07 APPL. S. N: 10010899
 To Examiner: SALCE, JASON Art Unit: 2623
 From: Logan, Rugenia Return This Memo To: Case JEF-2D68
 PARALEGAL SPCEIALIST Drop-Off Location

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,


please initial, date and return this memo to me. THANK YOU.

- ☐ The T.D. is PROPER and has been recorded (see 14.23).
- ☒ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
- ☒ The TD fee of 130.00 has not been submitted nor is there any authorization in the application file for the use of a deposit account
 - ☐ The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
 - ☐ The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
 - ☐ The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
 - ☐ The person who signed the T.D.:
 - ☐ is not an attorney "of record" (see 14.29 and 14.29.01).
 - ☐ has failed to state his/her capacity to sign for the business entity (see 14.28).
 - ☐ is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
 - ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
 - ☐ The T.D. is not signed (see 14.26 & 14.26.03).
 - ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
 - ☐ The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
 - ☐ The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
 - ☐ Other:
 - ☐ Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: _____ Date: _____

Log Date: _____

Application Number 	Application/Control No. 10/010,899	Applicant(s)/Patent under Reexamination CAMPBELL ET AL.	

Document Code - DISQ	Internal Document – DO NOT MAIL
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TERMINAL DISCLAIMER	<input type="checkbox"/> APPROVED	<input checked="" type="checkbox"/> DISAPPROVED
Date Filed : August 9, 2007	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Henry D. Jefferson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
CENTRAL FAX CENTER****AUG 09 2007**

In re the application of:

Docket No.: 550,642

Kent M. Campbell, et al.

Group Art Unit: 2623

Serial No.: 10/010,899

Examiner: Jason Salce

Filed: December 4, 2001

Date: August 9, 2007

FOR:

CONTROL PROGRAM, FOR A SUPERVISOR PROCESSOR
IN A VIDEO-ON-DEMAND SYSTEM, WHICH BUILDS
SUBGROUPS OF INTERNET PROTOCOL HEADERS AND
TRANSMISSION CONTROL LISTS

**TERMINAL DISCLAIMER
UNDER 37CFR1.321(c)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Unisys Corporation, a corporation of the State of Delaware having offices at Blue Bell, Pennsylvania, in the County of Montgomery (hereinafter Unisys), represents that it is the sole owner of the entire right, title and interest in and to the invention described and claimed in the above-identified United States Application Serial No. 10/010,899, which Application is shown in the Assignment records of the U.S. Patent and Trademark Office on Reel 012372/Frame 0454.

Unisys hereby disclaims the terminal part of all claims of any U.S. patent granted on the above application 10/010,899 which would extend beyond the expiration date of any U.S. patent granted to Unisys on application USSN 10/010,909, which application is shown in the Assignment

records of the United States Patent and Trademark Office on Reel 012372/Frame 0357.

Unisys hereby agrees that any U.S. patent so granted on the application USSN 10/010,899 shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to any U.S. patent issuing from application USSN 10/010,909. This Agreement is to run with any U.S. patent granted on application USSN 10/010,899 and is to be binding upon Unisys, its successors or assigns.

UNISYS CORPORATION

Date: August 9, 2007

By: Charles J. Fassbender
Charles J. Fassbender
Patent Attorney of Record
Reg. No. 28,504